

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
City Hall Training Room**

Monday, November 26, 2018

Attending:

Council Member John Mickelson
Council Member Renee Hardman
Deputy City Manager Jamie Letzring
City Attorney Richard Scieszinski
Development Director Lynne Twedt
Development Coordinator Linda Schemmel
Building Official Rod Van Genderen
Comm. & Ec. Development Director Clyde Evans

Fire Marshal Mike Whitsell
Planner Brian Portz
Planner Kara Tragesser
Planner Brad Munford
Principal Engineer Ben McAlister
Housing Planner Christine Gordon
Business Dev. Coordinator Katie Hernandez
Business Dev. Coordinator Rachel Bailey

Guests:

Item #1 – Aleksandr Litvak

Item #2 – Chuck Bishop, Bishop Engineering
Joel Templeman, Lillis O'Malley Law Firm
Jim Gooley, Ryan Companies

Item #3 – Joe Sornson, Neighborhood Dev Corp
Abbey Gilroy, Neighborhood Dev Corp
Scott Cutler, Cutler Development

The meeting of the Development and Planning City Council Subcommittee was called to order at 8:00 am.

1. 1733 S 35th Street – Aleksandr Litvak

Director Twedt opened the meeting and introduced the applicant, informing the Committee of his development proposal to divide this parcel into two parts, building a home on one, and selling off the remaining lot for a second home. The zoning for the parcel is Residential Estate (RE-1A), which requires a minimum 40,000sf lot. With a current lot size of 42,608 sf, subdividing the lot would result in a non-conforming size for the two created parcels. Staff recommend against the proposal because they do not support spot zoning. The surrounding parcels for ½ a mile from this lot are all RE zoned.

Applicant Aleksandr Litvak presented his proposal to the Committee, citing the difficulty of developing this parcel as it is, and the high costs for the property, as well as sanitary sewer connection fees. He believes the lot will remain undeveloped due to the cost, and is suggesting his subdivision proposal so that the land may be developed.

Council Members Mickelson and Hardman questioned Mr. Litvak regarding his conversations with neighbors who bought their lots expecting the area to remain RE zoned. Mr. Litvak responded that he had not spoken with the neighbors. Mr. Litvak was informed that he could proceed with his application for P&Z and Council approval, however the Subcommittee members did not support rezoning the parcel.

Direction: Council Members were not supportive of rezoning this parcel for subdivision.

2. Grand Living at West Des Moines – Sanitary Sewer Extension – Chuck Bishop

Principal Engineer Ben McAlister introduced this topic, stating that the DNR could require sanitary sewer connections to the water tower in the future. Areas west of S 50th Street have previously been planned to be served from Bentley Drive. Therefore, the Grand Living project under development was asked to provide access so that the Water Tower can be connected to Sanitary Sewer when need required. The City does not know when this connection might be required, but has asked the applicant to consider options to continue the sewer connection through their developing site in order to provide access for the Water Tower.

The City provided the applicant with three possibilities: 1. Design the site to accommodate sewer service for the adjacent property; 2. Provide extension of the sewer east of S 50th Street to the site; 3. City Council waive and/or defer the sewer extension Code requirement for this development.

Applicant Joel Templeman addressed the committee, noting that the easement was not part of the original platting of the parcel in 1996. He discussed the three options, and concluded that he didn't feel the developer should be footing the additional cost of the connection. Chuck Bishop presented his site plan for the project, informing the committee that MidAmerican Energy is restricting them from providing sewer access under the existing power lines and across the proposed parking area. He stated they feel that their most viable option was to come from Waterford Drive on the east.

Council Members questioned the costs associated with each proposal. City Attorney Scieszinski inserted that one possibility was for the applicant to provide funds in an escrow account, and any overage to the actual installation account would be covered by the City. Director Twedt added that she believed a 3% interest was added when this concept was used on another project. There was discussion regarding the timing of the DNR requirement, which Engineer McAlister believes will become a state-wide requirement at some time. It was also asked how much the cost of an easement would be, and that was undetermined at this time.

Engineer McAlister proposed determining what the value of the original easement would be and to escrow that amount. Council Members and City Attorney agreed that this could be an option. Mr. Bishop agreed that they could do this, but indicated they would need time to determine the easement value.

Subsequent to the discussion, William Mabuce, Engineering Project Manager with West Des Moines Water Works provided the following information:

"During our conversation yesterday, you indicated the Grand Living development has requested the City waive the requirement to provide an easement for a future sanitary sewer service to the West Des Moines Water Works Elevated Water Storage Tower Site at 505 50th Street.

West Des Moines Water Works needs to have the ability to install a sanitary sewer service to this site in the future to enable us to react to changes in regulatory requirements which may require this service in the future.

Please continue to require a sanitary sewer easement through the site as originally proposed. The Water Works is open to alternate routes through this site, provided the future sewer can achieve gravity flow."

Direction: Council Members were supportive of deferring the sanitary sewer agreement until the cost of the easement could be determined and the applicant agreeing to escrow funds in that amount.

3. Valley Junction Historic Business District:

- a. Parking for residential & uses that have high potential parking needs
- b. Building heights
- c. Residential on 1st floor

Planner Brad Munford introduced the topic, noting these are issues that the city will need to address for continuing development of the Valley Junction Historic Business District (VJHB). He noted that present this morning were developer Scott Cutler and representatives from Neighborhood Development Corporation, who have a proposal for a 3-story mixed use building on 4th Street. Current code does not allow residential use on the first floor of mixed use buildings in VJHB and Valley Junction Commercial (VJC) districts. Council Member Mickelson expressed his support of first floor retail and residential. Fire Marshal Mike Whitsell noted that elevators will be required in mixed use residential buildings to provide

handicap accessible units.

Community and Economic Development Director Evans pointed out that a parking analysis determined that there is plenty of parking available, although not always where the tenant or owner desires it to be. Current parking needs are met even during special events. Council Member Mickelson questioned cross-street parking being allowed at other sites, and Director Twedt responded that these required waivers, and that Staff would like code to address these issues without an ongoing need for individual waivers. Director Twedt noted that increased residency and retail/office will place higher parking demands which could be met with regulated parking, or with proposals for parking under or over new mixed use buildings.

Planner Munford noted that expanding the Valley Junction Commercial district to allow for mixed use could help address some of these concerns while supporting the increased interest in mixed use structures. Council Member Hardman expressed her support for the continued implementation of mixed use buildings.

Direction: Council Members were supportive continuing to develop options which support mixed use buildings.

4. Upcoming Projects – A map was provided with a brief description of each.

- a. AO Appliance Store – City initiated amendment to allow Household Appliance Stores in the Neighborhood and Support Commercial Zoning Districts (AO-004135-2018)
- b. Cardinal Lofts (435 S 88th St): Construction of an 88-unit Special Needs apartment building (SP-004138-2018)
- c. Dawson's Ridge (approx. 9320 Booneville Rd): Final plat property into 13 single-family lots (FP-004140- 2018)
- d. WDM Water Works Administration Bldg (1505 Railroad Ave): Construction of 7,000sf office building (MaM-004137-2018)

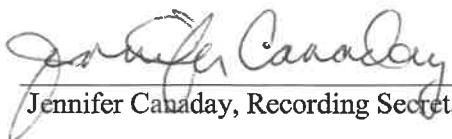
5. Minor Modifications & Grading Plans


- a. Regency Woods Apartments (1109 11th St): Construction of a 1250sf laundry building (MML1-004129-2018)
- b. Raising Cane's (5901 Mills Civic Pkwy, Bldg. 7000): Implementation of metal art mural (MML1-004136- 2018)

6. Other Matters

- a. Covenant Cove Road Agreement Update

The meeting adjourned at 9:04 am. The next regularly scheduled Development and Planning City Council Subcommittee is December 10, 2018.


Jennifer Canada, Recording Secretary


Lynne Twedt, Development Services Director